

### REMARKS

Entry of the foregoing and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.111 and in light of the remarks which follow, are respectfully requested.

At the outset, it is noted that while the Office Action Summary indicates that claim 5 has been rejected, the Official Action does not set forth any rejection of such claim. Indication of the status of claim 5 in the next Patent Office communication is respectfully requested.

Applicant notes with appreciation the indication that claim 4 would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. See Official Action at pages 4-5.

By the above amendments, claim 13 has been canceled without prejudice or disclaimer. Claim 1 has been amended for readability purposes, and to recite that the at least one monomer (B) comprises at least one monomer selected from the group consisting of (B-1) to (B-11). Support for such amendment can be found in the instant specification at least at pages 13-14. Newly added claims 14-16 directly or indirectly depend from claim 1, and are directed to additional aspects. Support for new claim 14 can be found in the specification at least at pages 13-14. Support for new claims 15 and 16 can be found in the specification at least at pages 11-13.

In the Official Action, claims 1, 2 and 6-13 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent Application Publication No. 2002/0039651 (*Murata*) in view of Japanese Patent Document No. 2002-194250 (*JP '250*). Claim 3 has been rejected under 35 U.S.C. §103(a) as being obvious over

*Murata* in view of *JP '250*, and U.S. Patent No. 4,572,888 (*Maeda et al*). Withdrawal of these rejections is respectfully requested for at least the following reasons.

Independent claim 1 is directed to an antireflection film comprising a transparent support, at least one hard coat layer and a low refractive index layer, in this order, wherein the hard coat layer includes a polymerized product of (A) at least one ethylene oxide or propylene oxide adduct of a tri- to hexa-functional acrylate monomer and (B) at least one tri- to hexa-functional acrylate monomer having no oxide adduct, wherein the total content of (A) and (B) is from 30 to 100% by weight, based on a total binder polymer content used to form the polymerized product, wherein the ratio by weight of (A) to (B) is from 20/80 to 80/20, and wherein the at least one monomer (B) comprises at least one monomer selected from the group consisting of monomers (B-1) to (B-11).

*Murata* does not disclose or fairly suggest each feature recited in independent claim 1. For example, *Murata* does not disclose or fairly suggest a hard coat layer that includes a polymerized product of (A) at least one ethylene oxide or propylene oxide adduct of a tri- to hexa-functional acrylate monomer and (B) at least one tri- to hexa-functional acrylate monomer having no oxide adduct, wherein the at least one monomer (B) comprises at least one monomer selected from the group consisting of monomers (B-1) to (B-11), as recited in claim 1. By comparison, at paragraph [0055], *Murata* discloses an extensive list of various resins for forming a hard coat layer. From such list, the Examiner has selected the trimethylolpropane trimethacrylate at line 29 of paragraph [0055]. See Official Action at page 3. There is, however, no adequate teaching or suggestion of selecting the trimethylolpropane trimethacrylate from *Murata's* extensive list of resins, and employing same with

components of the *JP '250* coating composition relied on by the Patent Office, to arrive at a polymerized product.

"[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385, 1396 (2007), citing *In re Kahn*, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006). In the present case, Applicant respectfully submits that no rationale has been provided which adequately explains why it would have been obvious to the ordinarily skilled artisan to fortuitously select the trimethylolpropane trimethacrylate from the extensive list of hard coat layer resins disclosed by *Murata*, and combine such usage with the use of *JP '250* monomers in the formation of a polymerized product. None of the applied documents taken alone or in combination teach or suggest such specific polymerized product recited in claim 1.

*Maeda et al* has been relied on for disclosing the use of an ethylene oxide adduct of trimethylolpropane. See Official Action at page 4. However, even if *Maeda et al* would have been employed in the manner suggested by the Patent Office, such document fails to provide any sufficient teaching or suggestion for arriving at the claimed polymerized product recited in claim 1.

For at least the above reasons, it is apparent that independent claim 1 is non-obvious over the above applied documents. Accordingly, withdrawal of the §103(a) rejections is respectfully requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited.

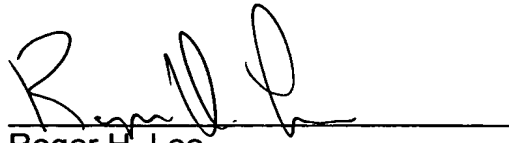
If there are any questions concerning this paper or the application in general,  
the Examiner is invited to telephone the undersigned.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: November 17, 2008

By:

A handwritten signature in black ink, appearing to read "Roger H. Lee", is written over a horizontal line.

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